

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DENISE DUPRIE,

Plaintiff

v.

Case No. 2:16-13544

District Judge Laurie Michelson

Magistrate Judge Anthony P. Patti

ECS PARTNERSHIP

Defendant.

ORDER GRANTING PLAINTIFF'S MOTION TO AMEND COMPLAINT
(DE 17)

This matter is before the Court for consideration of the motion by *pro se* Plaintiff Denise Duprie to amend her complaint. (DE 17.) The motion to amend was filed on November 10, 2016, three days after Defendant filed and served its answer. (DE 11.) Fed. R. Civ. P. 15(a)(1)(B) permits a party to amend a pleading “once as a matter of course within . . . if the pleading is one to which a responsive pleading is required, 21 days after service of a responsive pleading” Because the motion to amend was filed within 21 days after Defendant filed and served its answer, Plaintiff has a right to amend her Complaint. Moreover, Defendant has indicated it has no objection to the motion to amend and that “it was not necessary for Plaintiff to file such a motion because she had the right to amend her Complaint

once as a matter of course within 21 days of the date that Defendant filed its Answer to Plaintiff's Complaint." (DE 21 at 4-5.)

Therefore, the motion to amend Plaintiff's Complaint (DE 17) is **GRANTED AS UNOPPOSED** and because leave to file an amended pleading was not necessary at this juncture. Notwithstanding the fact that no motion was necessary in this instance, Plaintiff is nevertheless cautioned that before filing future motions she must comply with Local Rule 7.1(a), which, among other things, requires her to seek concurrence from opposing counsel prior to filing motions and to so certify to the Court.

IT IS SO ORDERED.

Dated: November 29, 2016

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on November 29, 2016, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti